

There are a few problems with this argument. First, near-perfect copies of digital content are already available on CDs and DVDs. Second, anyone with a pirate receiver that ignores the broadcast flag can distribute the program freely: It only takes one person making a file available on Kazaa for the file to leak permanently. Third, depending on how the regulation is written, it could limit the public's ability to use the broadcasts in legitimate, non-infringing ways. Fourth, as computers and TVs continue to converge, this approach will inevitably lead to greater regulations imposed on PC companies and perhaps even operating system makers. It's true that Hollywood and the TV studios have legitimate concerns about piracy, and widespread copyright infringement via the Internet appears to be growing. But I do NOT believe this is the correct approach.